THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO.15554 OF 2005.

DATED 27-07-2005

Between

Anumola Narsimha Rao

...Petitioner

And

1.The Chief Executive Officer, Zilla

Parishad, Krishna District, Machilipatnam

and 5 others

...Respondents

ORDER

This writ petition is filed challenging the action of the respondents in seizing the Lanchi named as M.L.Venkat Durgamba No.54 G/16 T and Punt (Vessel) bearing No.401/44 T of the petitioner and not releasing the same without issuing seizure report.

It is the case of the petitioner that he was granted licence for running a punt (vessel) upto 31-03-2005 by the Canal Officer to navigate the Canal under Rule 5 of A.P. Canals & Public Perries Act, 1890. After getting permission from the Grama Panchayat, he constructed the platform on his own patta lands by spending huge amount of Rs.40,00,000/-. Inspite of holding necessary permissions, the Deputy Executive Engineer, Panchayat Raj, Nandigama, Krishna, on 12-07-2005 seized the lanchi and punt (vessel) on the instructions

of Chief Executive Officer, Zilla Parishad, Krishna District without any authority or assigning any reasons and notice and without issuing seizure report. Hence the writ petition.

It is apparent from the record that the petitioner without approaching the concerned authority against the seizure of lanchi, filed this petition stating that the respondent has not given the seizure order nor releasing the punt, as per the provisions of the Grama Panchayat Act. In view of the above circumstances, it would suffice in the interest of justice to direct the petitioner to approach the concerned authority by way of a petition within one week from today, and on such application, the respondents are directed to consider and pass appropriate orders in accordance with law within a period of one week thereafter. Accordingly, the Writ Petition is disposed of.

27-07-2005.

Hsd